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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,634	10/08/2003	Prakash Parayil Mathew	138065UL (MHM 15115US01)	6101
23446 7590 02/21/2007 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			EXAMINER RAMIREZ, JOHN FERNANDO	
			ART UNIT 3737	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/681,634	Applicant(s) MATHEW, PRAKASH PARAYIL	
	Examiner John F. Ramirez	Art Unit 3737	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

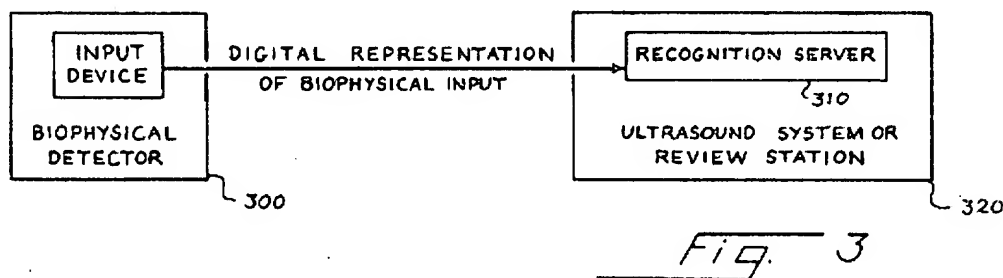
1. After a review of applicant's remarks, all necessary changes to the claims have been entered. Applicant's arguments with respect to the 102(e) rejection have been considered but are moot in view of the new ground(s) of rejection. However, upon further consideration, the following new office action is provided in view of newly found prior art reference in order to expedite the prosecution of this application.

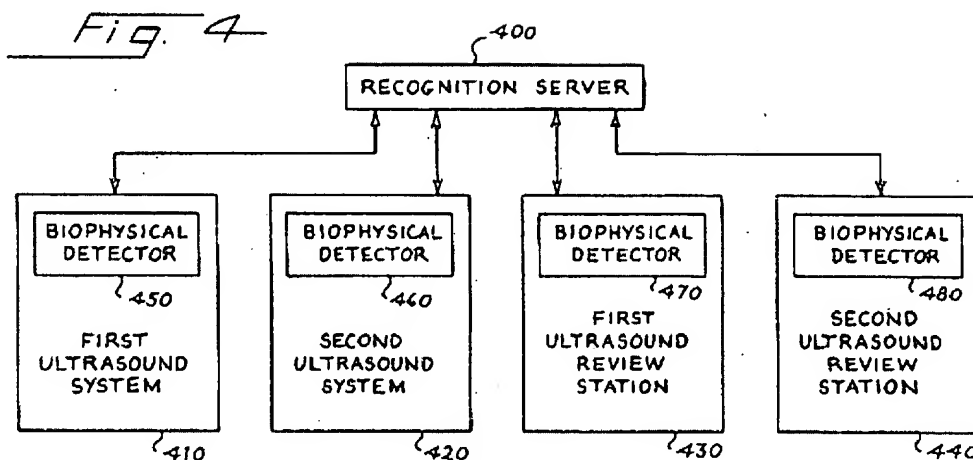
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

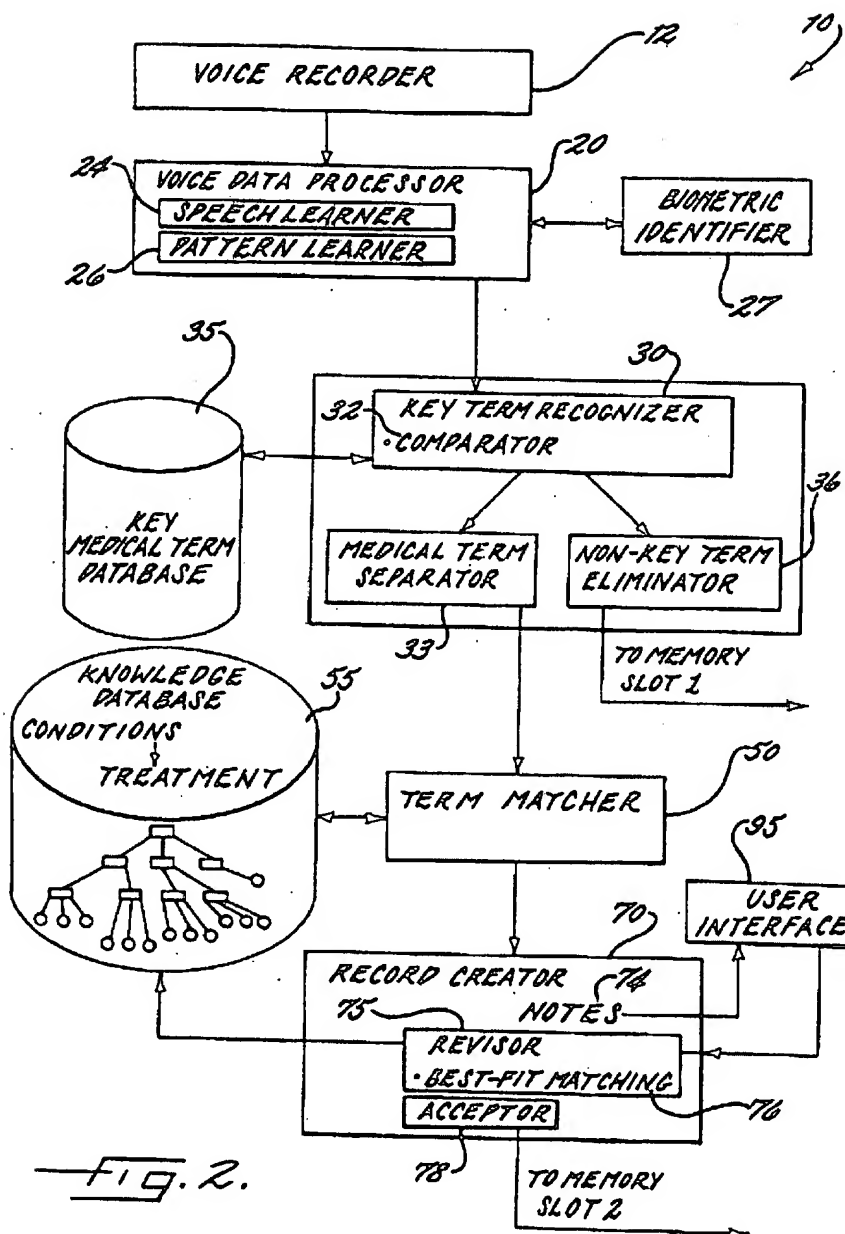
2. Claims 1, 4, 6, 8-12, 16, 18, 19, and 23 rejected under 35 U.S.C. 102(b) as being anticipated by Hastings (US 6,129,671).
- 3.





The Hastings patent discloses a medical imaging system network comprising a central management station (400), with a plurality of medical imaging systems (410, 420, 430, 440) in communication with one another, comprising: a medical imaging device (see abstract); and a biometric authorization unit (300), wherein a user inputs a biometric identifier into said biometric authorization unit in order to use the medical imaging device (see abstract, col. 2, lines 19-39), wherein use of the imaging system is allowed when a match exists between the biometric data extracted from the biometric identifier and the stored biometric data (see figure 2, 210, 240, 260), wherein the biometric identifier is at least one of a fingerprint (col. 2, lines 19-39), wherein biometric data extracted from the biometric identifier is stored in at least one of a central data storage unit in said central management station (see fig. 3) and individual data storage units in said plurality of imaging systems (see fig. 4, elements 450, 460, 470, 480).

4. Claims 24 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Singer (US 6,587,830).



The Singer patent discloses a method of using audio/video equipment comprising: registering to use the audio/video equipment by inputting biometric data ; storing the biometric data(see figure 2, elements 20, 35, 55); and enabling use of the audio/video equipment when biometric data input after said registering matches the

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stored biometric data (col. 7, lines 3-45, col. 7, line 65 - col. 8, line 15, col. 11, lines 10-31, wherein the audio/video equipment is one of a television, camera, CD player, DVD player, and car stereo (col. 6, lines 8-34).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, 5, 7, 13-15, 17, 20-22, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hastings in view of Yu et al. (US 5,930,804) in further view of Wong et al. (US 6,260,021) and in further view of Kinicki et al. (5,315,999).

Hastings teaches all the limitations of the claimed subject matter except for mentioning specifically, wherein biometric data extracted from the biometric identifier is compared with stored biometric data in said data storage unit, wherein the stored biometric data is associated with stored personal identification information, and wherein the stored biometric data and the stored personal identification information are stored after an initial registration, wherein user preference information is associated with the stored biometric data and with the personal identification information, wherein information regarding the use of the imaging system by the user is stored in said data

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storage unit, wherein the imaging system is a medical imaging system including one of a Computed Tomography (CT), X-ray, Positron Emission Tomography (PET), Single Photon Emission Computed Tomography (SPECT), Electron Beam Tomography (EBT), Magnetic Resonance (MR), and image-guided surgery system, wherein use information, including at least one of user identity, time, and length of an imaging session at each of said plurality of imaging systems is stored within at least one of said central management station and any of said plurality of imaging systems, wherein a user initially registers at one of said central management station and one of said plurality of imaging systems, storing individual imaging preferences for the medical imaging system as user preference information and associating the user preference information, and allowing said registering step by inputting a password.

However, wherein biometric data extracted from the biometric identifier is compared with stored biometric data in said data storage unit, wherein the stored biometric data is associated with stored personal identification information, and wherein the stored biometric data and the stored personal identification information are stored after an initial registration, wherein user preference information is associated with the stored biometric data and with the personal identification information, wherein information regarding the use of the imaging system by the user is stored in said data storage unit, wherein the imaging system is a medical imaging system including one of a Computed Tomography (CT), X-ray, Positron Emission Tomography (PET), Single Photon Emission Computed Tomography (SPECT), Electron Beam Tomography (EBT), Magnetic Resonance (MR), and image-guided surgery system, wherein use information,

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including at least one of user identity, time, and length of an imaging session at each of said plurality of imaging systems is stored within at least one of said central management station and any of said plurality of imaging systems, wherein a user initially registers at one of said central management station and one of said plurality of imaging systems, storing individual imaging preferences for the medical imaging system as user preference information and associating the user preference information, and allowing said registering step by inputting a password are considered conventional in the art as evidenced by the teachings of Yu et al. (US 5,930,804), Wong et al. (US 6,260,021) and Kinicki et al. (5,315,999).

The Yu et al. patent teaches wherein biometric data extracted from the biometric identifier is compared with stored biometric data in said data storage unit (abstract), wherein the stored biometric data is associated with stored personal identification information (see figure 5, 106), and wherein the stored biometric data and the stored personal identification information are stored after an initial registration(col. 10, lines 46-67, col. 11, lines 1-34), wherein a user initially registers at one of said central management station and one of said plurality of imaging systems (col. 9, lines 10-67), storing individual imaging preferences for the medical imaging system as user preference information and associating the user preference information (col. 10, lines 1-60), and allowing said registering step by inputting a password, Moreover, the Wong et al. patent teaches wherein information regarding the use of the imaging system by the user is stored in said data storage unit (col. 10, lines 28-47), wherein use information, including at least one of user identity, time, and length of an imaging session at each of

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said plurality of imaging systems is stored within at least one of said central management station and any of said plurality of imaging systems (col. 13, lines 7-24), wherein the imaging system is a medical imaging system including one of a Computed Tomography (CT), X-ray, Positron Emission Tomography (PET), Single Photon Emission Computed Tomography (SPECT), Electron Beam Tomography (EBT), Magnetic Resonance (MR), and image-guided surgery system (col. 1, lines 20-31, col. 10, lines 28-47). Furthermore, the Kinicki et al. patent teaches storing individual imaging preferences for the medical imaging system as user preference information and associating the user preference information (see abstract).

Based on the above observations, for a person of ordinary skill in the art, modifying the method disclosed by Hastings, with the above discussed enhancements would have been considered obvious because such modifications would provide a safer and faster method to biometric authentication of individuals seeking access to medical image workstations.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

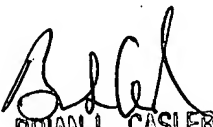
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John F. Ramirez whose telephone number is (571) 272-8685. The examiner can normally be reached on (Mon-Fri) 7:30 - 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Casler can be reached on (571) 272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JFR
01/29/07


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